

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN PATTERSON,
Plaintiff,

v.

KEVIN TILLSON, SUSAN SNELL, and
JOHN C. O'BRIEN,
Defendants.

No. 3:23-cv-00961-SB

OPINION AND ORDER

BAGGIO, District Judge:

I. INTRODUCTION

On December 20, 2024, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”, ECF 52), recommending that the Court GRANT Defendant Tillson’s Motion to Dismiss (ECF 38) without prejudice to Plaintiff’s right to seek leave to amend if discovery reveals a basis for pleading a claim against Defendant Tillson but without further leave to amend his Complaint at this time. No objections were filed.

II. DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. §§ 636(b)(1)(B), (C). If a party objects, the court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The court is not, however,

required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

III. CONCLUSION

Upon review, the Court agrees with Judge Beckerman's recommendation and ADOPTS the F&R (ECF 52) in full. Plaintiff's claims against Defendant Tillson are dismissed without prejudice but without leave to amend his Complaint at this time.

IT IS SO ORDERED.

DATED this 13th day of January, 2025.

Amy M. Baggio

AMY M. BAGGIO
United States District Judge